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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/862,547	05/22/2001	Nigel Peter Topham	0808.65566	1277
7590	05/13/2004		EXAMINER	KHATRI, ANIL
Patrick G. Burns Greer, Burns & Crain, Ltd. 300 S. Wacker Drive- Suite 2500 Chicago, IL 60606			ART UNIT	PAPER NUMBER
2124				
DATE MAILED: 05/13/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/862,547	TOPHAM, NIGEL PETER
	Examiner Anil Khatri	Art Unit 2124

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 22 May 2001.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-23 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)<br>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)<br>3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____.<br>5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)<br>6) <input type="checkbox"/> Other: _____. |
|--|--|

## DETAILED ACTION

### *Specification*

Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because numbers in brackets are not allowed.

Correction is required. See MPEP § 608.01(b).

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by *Berry et al* USPN 6,658,471

Regarding claim 1

*Berry et al. teaches,*

- series of predicate registers, each switchable between at least respective first and second states and each assignable to one or more predicated-execution instructions (see abstract)

Art Unit: 2124

- a control information holding unit which holds items of control information corresponding respectively said predicate registers of said series (column 5, lines 40-49, "predicate registers... with predicate registers"); and
- a plurality of operating units, corresponding respectively to said predicate registers, each having a first control input connected to said control information holding unit for receiving the control-information item corresponding to the operating unit's own corresponding predicate register and also having a second control input connected for receiving the control-information item corresponding to a further one of said predicate registers, and operable to perform a state determining operation in which said state of its said own predicate register is determined in dependence upon the received control-information items, said operating units of the plurality being operable in parallel with one another to perform respective such state determining operations (figures 1B, 2B, 3B, column 5, lines 40-49, "predicate registers... with predicate registers").

Regarding claim 2

*Berry et al. teaches,*

- each said predicate register other than the last predicate register of said series, said further one of the predicate registers is the register following said own predicate register in said series (column 5, lines 50-58, "uses pair of predicated register... instrumentation code").

Regarding claim 3

*Berry et al. teaches,*

- Rejection of claims 1 and 2 are incorporated and further claim 3 recites limitation as recites in claims 1 and 2 therefore, claim 3 is rejected under same rational as claims 1 and 2.

Regarding claim 4

*Berry et al. teaches,*

- for each operating unit, said state-information item indicates state of the unit's said own predicate register (columns 6-7, lines 66-67, an initialization phase... information has been written").

Regarding claim 5

*Berry et al. teaches,*

- each operating unit has respective first and second such state inputs connected receiving

respective such state-information items, indicating the respective states of two different ones of predicate registers, and is operable to set the state own predicate register in dependence also upon state-information items (column 5, lines 41-48, “ predicated register... with predicated registers”).

Regarding claim 6

*Berry et al. teaches,*

- Rejection of claim 2 is incorporated and further claim 6 recites limitation as recites in claim 2 therefore, claim 6 is rejected under same rational as claim 2.

Regarding claim 7

*Berry et al. teaches,*

- Rejection of claim 1 is incorporated and further claim 7 recites limitation as recites in claim 1 therefore, claim 7 is rejected under same rational as claim 1.

Regarding claim 8

*Berry et al. teaches,*

- each operating unit is operable selectively to perform any one of a plurality of different such state determining operations (column 5, lines 59-63, “ this pair.. registers by convention”).

Regarding claim 9

*Berry et al. teaches,*

- each operating unit has a selection input for receiving one or more selection signals, and state determining operation to be performed by the operating unit is selected by one or more selection signals applied thereto ( column 9-10, lines 62- 67, process of predication... PR1 is false”).

Regarding claim 10

*Berry et al. teaches,*

each control-information item is changeable between at least first and second values (column 5, lines 41-48, “ predicated register... with predicated registers”).

Regarding claim 11

*Berry et al. teaches,*

Rejection of claim 1 is incorporated and further claim 11 recites limitation as recites in claim 5 therefore, claim 11 is rejected under same rational as claim 5.

Regarding claim 12

*Berry et al. teaches,*

Rejection of claim 1 is incorporated and further claim 12 recites limitation as recites in claim 5 therefore, claim 12 is rejected under same rational as claim 5.

Regarding claim 13

*Berry et al. teaches,*

Rejection of claim 1 is incorporated and further claim 13 recites limitation as recites in claim 5 therefore, claim 13 is rejected under same rational as claim 5.

Regarding claim 14

*Berry et al. teaches*

- each operating unit designated in said shifting operation in the event that said control-information item corresponding to the unit's said own predicate register has said first value (column 10, lines 5-15, " predicated with PR1... lock being required").

Regarding claim 15

*Berry et al. teaches*

Rejection of claim 1 is incorporated and further claim 15 recites limitation as recites in claim 12 therefore, claim 15 is rejected under same rational as claim 12.

Regarding claim 16

*Berry et al. teaches*

- one said state determining operation is a writing operation in which each designated one of the operating units sets its said own predicate register to chosen one of said first and second states ( column 9-10, lines 62- 67, process of predication... PR1 is false").

Regarding claim 17

*Berry et al. teaches*

- each operating unit has a data input for receiving data signal indicating chosen state (column 6-7, lines 66- 67, 1-5, “an initialization...has been written”).

Regarding claim 18

*Berry et al. teaches*

- comprising a completion detection unit which determines that a predetermined processor operation has been completed when, for every predicate register whose corresponding control-information item has first value, the predicate register has second state (column 8, lines 33-42, “ after verifying the... code is executed”).

Regarding claim 19

*Berry et al. teaches*

Rejection of claims 1 and 18 are incorporated and further claim 19 recites limitation as recites in claims 1 and 18 therefore, claim 19 is rejected under same rational as claims 1 and 18.

Regarding claim 20

*Berry et al. teaches*

- each operating unit includes combinatorial logic circuitry for effecting the each state determining operation (column 5, lines 1-24, “ predicated registers... one or true”).

Regarding claim 21

*Berry et al. teaches*

Rejection of claim 1 is incorporated and further claim 21 recites limitation as recites in claim 1 therefore, claim 21 is rejected under same rational as claim 1.

Regarding claim 22

*Berry et al. teaches*

Rejection of claims 1 is incorporated and further claim 22 recites limitation as recites in claim 2 therefore, claim 22 is rejected under same rational as claim 2.

Regarding claim 23

*Berry et al. teaches*

Rejection of claim 1 is incorporated and further claim 23 recites limitation as recites in claim 7 therefore, claim 23 is rejected under same rational as claim 7.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- USPN 6505345
- USPN 6301705
- USPN 6338137
- USPN 5958048
- USPN 6721875
- USPN 6598155
- USPN 6637026

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anil Khatri, Primary Examiner whose telephone number is 703-305-0282. The examiner can normally be reached on M-F 8:30-5:00 PM.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ANIL KHATRI  
PRIMARY EXAMINER